



MINUTES

OCONEE COUNTY COUNCIL

Regular Meeting

May 7, 2019

MEMBERS, OCONEE COUNTY COUNCIL
Mr. John Elliott, Chair Pro Tem, District I
Mr. Paul Cain, Vice Chair, District III
Mr. Julian Davis III, Chairman, District IV
Mr. Glenn Hart, District V
Mr. Wayne McCall, District II

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Amanda F. Brock, County Attorney David Root, and Katie D. Smith, Clerk to Council present.

Press: Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [www.oconeesc.com/council]. In addition it was made available [*upon request*] to the newspapers, radio stations, television stations and concerned citizens.

Members of the press present: Caitlin Herrington / Daily Journal & Jimmy Watt / WGOG.

Call to Order:

Mr. Davis called the meeting to order at 6:00 p.m.

Public Comment Session

Mr. Tony Adams addressed Council utilizing a handout [copy filed with backup materials] regarding salary increases, Golden Corner Commerce Park, and Economic Development & potential youth recreation funding.

Mr. Al Shuler addressed Council utilizing a handout [copy filed with backup materials] regarding the I-85 Fair Play project, taxpayer's expense, and grant funds.

Mr. Jerry Barnett addressed Council regarding the Planning Commission and the community comprehensive plan meetings and solid waste.

County Council Response to Public Comment

Mr. Hart made a statement regarding point of ethics.

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

A video recording of this meeting is available at www.oconeesc.com. Meetings have been live-streamed beginning January 17, 2017. Brought to you by Your Oconee.

Moment of Silence

Mr. Davis asked for a moment of silence prior to the Invocation by the County Chaplain.

Invocation by County Council Chaplain:

Mr. Root, County Council Chaplain, gave the invocation.

Pledge of Allegiance:

Lt. Jim Stokes, Oconee County Sheriff's Office, led the Pledge of Allegiance to the Flag of the United States of America.

Approval of Minutes

Mr. Elliott made a motion, seconded by Mr. Hart, approved 5 – 0 to approve the April 23, 2019 Regular Minutes as presented.

Proclamation 2019-04

Proclamation 2019-04 Honoring K-9 Officer Dina

Mr. Davis read **Proclamation 2019-04** into the record.

Mr. McCall made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Proclamation 2019-04**.

Council members presented the proclamation to Lt. Jim Stokes.

Proclamation 2019-05

Proclamation 2019-05 for Peace Officers' Memorial Day

Mr. Davis read **Proclamation 2019-05** into the record.

Mr. McCall made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Proclamation 2019-05**.

Sheriff Crenshaw of the Oconee County Sheriff's Office and his staff that were present came forward to accept **Proclamation 2019-05** from Council members.

Administrator's Comments

Ms. Brock briefly updated Council and the public regarding the following:

- All 503 full time employees have been trained with the suspicious substance training class presented by the Oconee County Sheriff's Office
- Comprehensive plan meeting at the Long Creek Fire Department for District 4 on Tuesday, May 14, 2019 from 4pm to 6pm

Public Hearings for the Following Ordinances

None at this meeting.

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

A video recording of this meeting is available at www.oconeesc.com. Meetings have been live-streamed beginning January 17, 2017. Brought to you by Your Oconee.

Third Reading of the Following Ordinances

None at this meeting.

Second Reading of the Following Ordinances

Ordinance 2019-01 “AN ORDINANCE TO ESTABLISH THE BUDGET FOR OCONEE COUNTY AND TO PROVIDE FOR THE LEVY OF TAXES FOR ORDINARY COUNTY PURPOSES, FOR THE TRI-COUNTY TECHNICAL COLLEGE SPECIAL REVENUE FUND, FOR THE EMERGENCY SERVICES PROTECTION SPECIAL REVENUE FUND, FOR THE ROAD MAINTENANCE SPECIAL REVENUE FUND, FOR THE BRIDGE AND CULVERT CAPITAL PROJECT FUND, FOR THE ECONOMIC DEVELOPMENT CAPITAL PROJECT FUND, FOR THE DEBT SERVICE FUND, FOR THE VICTIM SERVICES SPECIAL REVENUE FUNDS, ALL IN OCONEE COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2019 AND ENDING JUNE 30, 2020.”

See April 23, 2019 Budget, Finance, & Administration Committee edition forwarded to Council by vote of said Committee.

Mr. Elliott made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Ordinance 2019-01** on second reading.

Mr. Elliott made a motion, seconded by Mr. Hart, approved 5 – 0, to amend Ordinance 2019-01 to incorporate the changes approved and recommended by the Budget, Finance, & Administration Committee on 4/23/2019, as summarized on the 5 page handout.

Mr. Hart made a motion, seconded by Mr. McCall, approved 5 – 0, to approve **Ordinance 2019-01** as amended.

Ordinance 2019-03 “AN ORDINANCE TO PROVIDE FOR THE LEVY OF TAXES FOR THE KEOWEE FIRE SPECIAL TAX DISTRICT AND TO ESTABLISH THE BUDGET FOR THE KEOWEE FIRE SPECIAL TAX DISTRICT FOR THE FISCAL YEAR BEGINNING JULY 1, 2019 AND ENDING JUNE 30, 2020.

Mr. Cain made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Ordinance 2019-03** on second reading.

Ordinance 2019-15 “AN ORDINANCE AUTHORIZING AND CONSENTING TO OR RATIFYING THE ASSIGNMENT AND ASSUMPTION OF AN INTEREST IN THAT CERTAIN AMENDED FEE AGREEMENT DATED AS OF DECEMBER 1, 2017, SUCH ASSIGNMENT FROM ITECH SOUTH, LLC, EUGENE CARLTON MORRIS and JUNE COPELAND MORRIS, AND SUCH ASSUMPTION BY ITECH BUYER, LLC AND PARKWAY REAL ESTATE HOLDINGS SOUTH CAROLINA, LLC, AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT MEMORIALIZING SUCH ASSIGNMENT AND ASSUMPTION AND CONSENT OR RATIFICATION; AND OTHER MATTERS RELATED

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

A video recording of this meeting is available at www.oconeesc.com. Meetings have been live-streamed beginning January 17, 2017. Brought to you by Your Oconee.

THERETO.”

Mr. Cain made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Ordinance 2019-15** on second reading.

First Reading for the Following Ordinances

Ordinance 2019-16 “AN ORDINANCE AMENDING CHAPTER 2 OF THE OCONEE COUNTY CODE OF ORDINANCES BY REVISING SECTION 2-191 IN RELATION TO THE EMPLOYMENT, DUTIES, AND RESPONSIBILITIES OF THE OCONEE COUNTY ATTORNEY.”

Mr. Cain made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Ordinance 2019-16** on first reading.

First & Final Reading of the Following Resolutions

None at this meeting.

Discussion Regarding Action Items

Council consideration of re-designation of Economic Development funding in the amount of \$210,000.00 to the Town of Salem to propel water infrastructure expansion in light of Federal EDA Disaster funding being fully expended prior to the Town of Salem being awarded.

Mr. McCall made a motion, seconded by Mr. Elliott, to bring the consideration of re-designation of Economic Development forward.

Per Mr. Elliott, Mr. Ryan Hardin, Director of Operations for the Water Department, Town of Salem, addressed Council regarding the following:

- Town of Salem failed to acquire the Federal released grant money in regards to the infrastructure project
- Received letter for the reason of denial
- Spoke with Mayor Towe and various Salem Town Council members as to the direction they need to move
- Complete phases one and two in-house
- Two options to consider: [1] Take \$140,000 that Salem had previously designated for the grant application and roll into the next fiscal year budget as grant application money or infrastructure of this system and request Oconee County to partner with Town of Salem and earmark \$210,000 to be utilized for Phase 3 construction or [2] Take the \$140,000 from Salem and \$210,000 from Oconee County and allow Salem to work with the Oconee County Grant Administrator

Council asked for this action item to be added to the May 21, 2019 agenda and for Mr. Hardin to bring materials in detail to this meeting.

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

A video recording of this meeting is available at www.oconeesc.com. Meetings have been live-streamed beginning January 17, 2017. Brought to you by Your Oconee.

No Action is required by Council on this matter.

Console Furniture for the Oconee County 911 Center / Communications / \$201,766.96

Budget: \$201,766.96

Project Cost: \$201,766.96

Balance: \$0

This purchase will be made utilizing 911 surcharge funding. Once completed, Oconee County will receive an eighty (80) percent reimbursement for the 911 funds from the State of South Carolina.

This purchase is to replace the console furniture in the Oconee County 911 Center. The 911 Center was originally constructed and current consoles were purchased / installed in 2004-2005. These consoles are used 24/7 and after 15 years of use they are failing mechanically and require replacement.

It is the staff's recommendation that Council [1] approve the purchase of console furniture for the 911 Center from Xybix Systems, Inc. of Littleton, CO in the amount of \$191,870.75 and [2] approve the payment of \$9,896.21 to the SC DOR for sales and use tax.

Mr. Cain made a motion, seconded by Mr. Elliott, approved 5 – 0, to [1] approve the purchase of console furniture for the 911 Center from Xybix Systems, Inc. of Littleton, CO in the amount of \$191,870.75 and [2] approve the payment of \$9,896.21 to the SC DOR for sales and use tax.

OCONEE COUNTY CIDR (County Issuance of Decal and Registration) AGREEMENT (Decal / Registration issuance) and the PIRA (Personal Information Release Agreement) for local agency with South Carolina Department of Motor Vehicles for Oconee County Treasurer's Office

The County Issuance of Registration and Decal (CIDR) program allows the County Treasurer to issue decals, on site, with vehicle registration upon payment of property tax for regular renewals. Regular renewal information is provided to the County Auditor from the Department of Motor Vehicles (DMV) prior to the expiration of the vehicle registration allowing the Auditor to issue a tax notice which is then mailed to the Taxpayer. Vehicle registration fee is currently collected every two years.

Exceptions:

- If the tax notice includes the renewal fee and are paid late, the Treasurer's office cannot print the decal.
- Decals cannot be printed for first time registration of vehicles. The taxpayer must register the vehicle with the County Auditor and then pay tax to the Treasurer who in turn issues a paid tax receipt which must be presented to the DMV to obtain/purchase a tag and registration.
- Decals cannot be printed if the DMV has a hold on registration. DMV places holds for various reasons which may include insurance issues or driver suspensions.

Staff recommends that The County [1] enter into the attached CIDR contract and PIRA agreement with the South Carolina Department of Motor Vehicles and [2] authorize the County Administrator to sign the CIDR Contract and PIRA Agreement.

Mr. McCall made a motion, seconded by Mr. Elliott, approved 5 – 0, to [1] enter into the attached CIDR contract and PIRA agreement with the South Carolina Department of Motor Vehicles and [2] authorize the

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

A video recording of this meeting is available at www.oconeesc.com. Meetings have been live-streamed beginning January 17, 2017. Brought to you by Your Oconee.

County Administrator to sign the CIDR Contract and PIRA Agreement.

Board & Commission Appointments

Building Codes Appeal Board

No questionnaires were submitted for the 2 At Large seats.

Council Committee Reports

Mr. Elliott read from a prepared statement [copy filed with backup materials] outlining the discussions held at the April 23, 2019 Budget, Finance, & Administration Committee meeting.

Unfinished Business

None at this meeting.

New Business

None at this meeting.

Executive Session:

Mr. Hart made a motion, seconded by Mr. Cain, approved 5 – 0, to enter into Executive Session for the following purposes, as allowed for in § 30-4-70(a) of the South Carolina Code of Laws:

[1] Discussion regarding an Economic Development matter, Project Aztec.

[2] Discussion regarding an Economic Development matter, Project Trout.

[3] Discussion of contractual and Economic Development matter, Historic Courthouse.

[4] To receive legal advice and discuss personnel matters related to the following departments: The Rock Quarry, Auditor, Finance, Assessor, Information Technology, Finance, Human Resources, Sheriff's Office, Airport, Treasurer, Facilities Maintenance, Roads and Bridges, Planning, Solid Waste, Registration & Elections, Procurement, and Administration, including internal review procedures.

[5] Discuss employment matters related to County Attorney and County Administrator.

[6] Discussion regarding an Economic Development matter, ACI Plastics.

Council entered Executive Session at 6:47 p.m.

Council returned from Executive Session at 8:05 p.m. on a motion made by Mr. Cain, seconded by Mr. Elliott, approved 5 – 0.

Mr. Davis stated that no action was taken in Executive Session.

Council's meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council's Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council's agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council's agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council's Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council's rules.

A video recording of this meeting is available at www.oconeesc.com. Meetings have been live-streamed beginning January 17, 2017. Brought to you by Your Oconee.

Mr. Cain made a motion, seconded by Mr. McCall, approved 5 – 0, to direct the Chairman of Council to execute an addendum to the County Administrator’s contract to put in place the penalty provisions if she is terminated for whistleblower type activities as discussed.

First Reading of the Following Ordinances [cont’d]

~~Ordinance 2019-17 “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AMENDED FEE AGREEMENT BETWEEN OCONEE COUNTY AND ACI PLASTICS SOUTH, LLC, INCLUDING THE INCLUSION OF ACI PROPERTIES SOUTH, LLC, AS CO-SPONSOR, AMENDING THE FEE AGREEMENT DATED AS OF OCTOBER 1, 2014; AND OTHER MATTERS RELATED THERETO.”~~

Item was removed from the agenda.

Adjourn:

Mr. Hart made a motion, approved unanimously, to adjourn at 8:05 p.m.

Respectfully Submitted:

Katie D. Smith
Clerk to Council

Council’s meetings shall be conducted pursuant to the South Carolina Freedom of Information Act, Council’s Rules and the Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition. This agenda may not be inclusive of all issues which Council may bring up for discussion at this meeting. Items are listed on Council’s agenda to give public notice of the subjects and issues to be discussed, acted upon, received as information and/or disposed of during the meeting. Items listed on Council’s agenda may be taken up, tabled, postponed, reconsidered, removed or otherwise disposed of as provided for under Council’s Rules, and Model Rules of Parliamentary Procedure for South Carolina Counties, latest edition, if not specified under Council’s rules.

A video recording of this meeting is available at www.oconeesc.com. Meetings have been live-streamed beginning January 17, 2017. Brought to you by Your Oconee.